Haw River Assembly's Comments on FERC's
Southeast Supply Enhancement Project Environmental Assessment

The Haw River Assembly is a 501(c)(3) non-profit citizens' group founded in 1982 to restore and protect the Haw River and Jordan Lake, and to build a watershed community who shares this vision. Our goals are to promote environmental education, conservation and pollution prevention; to speak as a voice for the river in the public arena; and to put into peoples' hands the tools and the knowledge they need to be effective guardians of the river.

The scenic 110-mile Haw River is located at the headwaters of the Cape Fear River Basin, and includes the Jordan Lake reservoir, providing drinking water and recreation to NC. Tributaries of the Haw River and Jordan Lake flow through Guilford, Rockingham, Caswell, Alamance, Orange, Chatham, Wake, and Durham counties. Almost one million people are part of this watershed where sedimentation, wastewater, and runoff have impaired its waters.

We represent the voices of thousands of directly impacted community members in Rockingham and Guilford counties, the wildlife who inhabit these areas, and we stand with concerned citizens across the state of North Carolina. Before the federal government approves the Southeast Supply Enhancement Project (SSEP), as it directly affects the environment, FERC needs to study it much more carefully, tell the public what they found, and listen to public input.

We respectfully ask that FERC deny the Certificate of Public Convenience and Necessity (CPCN) for the SSEP. According to the National Environmental Policy Act (NEPA), this project's scale requires an Environmental Impact Statement (EIS) and given the potential impacts to water, air, species, and communities, the most robust environmental review possible is required to occur; in the meantime, the CPCN should be denied.

1. This project requires an Environmental Impact Statement

The Environmental Assessment (EA) prepared by FERC staff is inadequate for a project of this scope. The SSEP proposes to impact 173 wetlands and streams, destroy nearly 12,000 linear feet (2.3 miles) of streams, and cross critical drinking water sources for over 1 million North Carolinians. Haw River Assembly shares in the disappointment across our state to hear that public voices were ignored and an Environmental Assessment (EA) was drafted, instead of a more thorough Environmental Impact Statement (EIS).

2. The SSEP requires the adequate public participation, according to its size and impact, of an Environmental Impact Statement, not simply an Environmental Assessment

We are disappointed by the lack of adequate, accessible public engagement, which undermines NEPA's public participation requirements, *CEQ Regulations on Public Participation (40 CFR 1503-1506)*. FERC should have conducted public participation appropriate for an Environmental Impact Statement. The public comment period for this project should be 90 days, instead of 30, and FERC public hearings should be held in each county along the route, which has not yet occurred. There hasn't been one FERC public hearing for residents along the route thus far (only scoping meetings where people were required to give comments in private rooms), and the agency is not planning any during this comment period. In addition to North Carolina,

this project impacts four other states, and such a massive project warrants meaningful public participation, as is standard with an EIS, from those along the impacted route.

3. Transco has not adequately demonstrated the public need or necessity for this pipeline

Transco has yet to demonstrate that this project meets the "public convenience and necessity" standard required for a CPCN. They need to provide evidence of genuine public demand that cannot be met through alternatives or less destructive means. This project needs to prove its necessity, the onus is not on our impacted communities to disprove it. This burden has not been met. Resolutions have been made by the impacted communities of the City of Greensboro, Guilford County, Forsyth County and the Town of Midway against this pipeline. These communities have expressed that there is no benefit and no need for this project.

4. FERC has failed to analyze and share cumulative impacts as required by NEPA

Haw River Assembly disagrees with the assertion from FERC staff that this project would have 'no significant impact' on the surrounding environments and the people whose lives would be deeply harmed by the compounding effects of this project.

FERC has violated its legal obligation under NEPA to holistically analyze the cumulative impacts of this project in tandem with the buildout of other fossil-fuel projects across the state of North Carolina. For example, adding to the significant concern about the SSEP's impacts, Mountain Valley Pipeline, LLC plans to build an extension of its pipeline, called "Southgate." The SSEP and Southgate share similar routes through Rockingham County, North Carolina, causing deep concern for local residents. The co-location of two high-pressure, large-diameter pipelines that cross the same waterways could mean cumulative, devastating impacts for local communities, species, and water resources.

Transco proposes crossing 173 wetlands and streams, crossing many by means of dry-ditch, open-cut methods. This is unacceptable. Dry-ditch, open-cut methods of crossing water bodies degrades water quality, pollutes drinking water sources, and harms habitat for aquatic species. Species including the endangered James spinymussel (Parvaspina collina) and threatened Atlantic pigtoe (Fusconaia masoni). Transco's justifications for choosing trenched methods over less harmful trenchless methods deserve scrutiny. Transco proposes using trenchless crossing methods for a small fraction of the water body crossings, which have an overall lesser impact on water quality than the trenched methods proposed for the vast majority of the Project's proposed crossings.

Transco's proposed crossings of North Carolina water bodies are likely to cause violations of state water quality standards. The proposed route crosses the Jordan Lake watershed, which, in addition to Randleman Lake, supplies drinking water to more than 1 million North Carolinians.

Haw River Assembly Executive Director and Haw Riverkeeper, Emily Sutton:

"This pipeline project poses an urgent threat to streams and sensitive habitats, and to drinking water supplies both adjacent to the route and for communities downstream. This pipeline would cause irreparable damage to nearly 12,000 linear feet of streams throughout the full route. The method for stream crossing for these pipelines destroys sensitive aquatic habitats. Construction of these pipelines often results in streams inundated with sediment, which suffocates aquatic life. These habitats rarely recover from such destruction. Additionally, the pipeline coatings and lubricants used during construction can contaminate these streams, which are headwater streams to drinking water supplies for Greensboro and much of Guilford County.

Groundwater, once contaminated, is incredibly difficult to mitigate. We have nearly a decade of investigating PFAS contamination in communities in our watershed and have seen the detrimental costs. Most families along the proposed route of this pipeline project rely on groundwater wells for their drinking water supply. Transco has committed to groundwater testing for several families along the proposed route, but has yet to include what measures will be taken to prevent groundwater contamination from these pipe coatings and lubricants in the construction process.

The destruction of nearly 12,000 linear feet of streams is stated to be "temporary" in this permit. However, the removal of streamside buffers and established riparian vegetation eliminates one of the most effective natural defenses against runoff, water pollution, and flooding. As North Carolina experiences increasingly severe rainfall events and catastrophic flooding, the destruction of these critical flood resilience mechanisms is not merely inadvisable—it directly undermines public safety and environmental protection. This Commission should not authorize infrastructure that compromises the very natural systems our communities depend on for flood mitigation.

Our communities have already expressed that there is no need for, and do not stand to benefit from, this project. Communities impacted by this project in ***[the City of Greensboro]****, Guilford County, Forsyth County, and the Town of Midway have successfully pushed for their elected representatives to adopt resolutions against the pipeline. Forsyth County specifically urged FERC and NCDEQ to deny this permit.*

Our state and FERC must take action to prioritize the health and safety of our communities' ecosystems, protect our drinking water supplies, and minimize catastrophic flood impacts as storms worsen."

5. FERC must deny the CPCN and require a full EIS

The communities we represent have demonstrated their unwavering opposition to this project. Over the past year we have seen comments at state water and air permit hearings, testimonies from impacted citizens to local and state elected officials, dozens of news interviews, thousands of petition signatures, and countless expressions of concern, anger, grief, frustration, and fear at community meetings. With clear, unanimous, and bipartisan support, the people of the Haw River Watershed urge FERC to complete a full Environmental Impact Statement, disclose the true impacts of this proposal, deny the CPCN, and reject this proposal. FERC represents the interests of the country's **public** above all other stakeholders. We urge the Commission to hold adequate public participation opportunities and listen to the voices of those people.

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